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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,155	02/16/2001	Allan D. Dale	TEL03 P-300	4285

277 7590 08/11/2004

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EXAMINER

KADING, JOSHUA A

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/788,155	Applicant(s) DALE ET AL.	
	Examiner Joshua Kading	Art Unit 2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2-16-01</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claim 18 is objected to because of the following informalities: Line 11 of claim 18 states, "the IAD". There is no antecedent basis for this limitation; therefore it is

5 suggested "the IAD" be changed to --an IAD--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

10 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edson (U.S. Patent 6,526,581 B1).

Regarding claim 1, Edson discloses "an integrated access device (IAD) (figure 1, 20 element 13 acts as a functional equivalent to the IAD, this is supported in applicant's specification, page 4, lines 1-4 implying equivalence between the IAD and the gateway) for providing a broadband communication link between a home phoneline networking alliance (HPNA) local area network (LAN) and an external network to form a wide area network (WAN), the HPNA LAN including a plurality of personal computers each 25 coupled to a first building telephone line through an HPNA port, the IAD comprising:

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an HPNA interface coupled to the HPNA LAN (figure 2, element 121 where element 121 attaches to the HPNA LAN of figure 1);

a first processor coupled to the HPNA interface (figure 2, element 105);

a memory subsystem for storing information coupled to the first processor (figure

5 2, element 107)..."

However, in the above referenced embodiment Edson lacks what he discloses in a different embodiment, "a wireless interface coupled to the first processor, the wireless interface providing a communication link between the IAD and the external network (col. 4, lines 24-35)."

10 It would have been obvious to one with ordinary skill in the art at the time of invention to include wireless interface for the purpose of tailoring the IAD to meet the needs of the customer's premise (col. 4, lines 20-24). The motivation for tailoring the IAD to the customer is so that a wider range of customers with varying needs can be served.

15

Claims 2-6, 8-15, 17-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson in view of Marchevsky (U.S. Patent 6,572,384 B1).

Regarding claim 2, Edson discloses the IAD of claim 1 and "a plain old telephone
20 service (POTS) interface coupled between the first processor and a...building telephone line, the...building telephone line providing POTS service to at least one POTS

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telephone (col. 4, lines 24-35 where the suggestion of a connection to a POTS line is in line 27)."

Edson further lacks what Marchevsky discloses, the POTS interface couples the first processor and a "second" building telephone line (figure 1, element 10 shows two

5 RJ11 ports on the card, as is known in the art these ports are used for building telephone lines, thus there is the possibility of a second telephone line).

It would have been obvious to one with ordinary skill in the art at the time of invention to include second building telephone line for the purpose of tailoring the IAD to meet the needs of the customer's premise, i.e. adding an additional phone line to meet
10 that demand (Edson, col. 4, lines 20-24). The motivation for tailoring the IAD to the customer is so that a wider range of customers with varying needs can be served.

Regarding claim 9, Edson discloses "an integrated access device (IAD) (figure 1, element 13 acts as a functional equivalent to the IAD, this is supported in applicant's
15 specification, page 4, lines 1-4 implying equivalence between the IAD and the gateway) for providing a broadband communication link between a home phoneline networking alliance (HPNA) local area network (LAN) and an external network to form a wide area network (WAN), the HPNA LAN including a plurality of personal computers each coupled to a first building telephone line through an HPNA port, the IAD comprising:

20 an HPNA interface coupled to the HPNA LAN (figure 2, element 121 where element 121 attaches to the HPNA LAN of figure 1);

a first processor coupled to the HPNA interface (figure 2, element 105);

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a memory subsystem for storing information coupled to the first processor (figure 2, element 107);

a communication interface coupled to the first processor, the communication interface providing a communication link between the IAD and the external network

5 (figure 2, any elements 117, 119, or 115 will act as an external network interface), wherein the communication interface is configured to include one of a wireless interface and a digital subscriber line (DSL) interface (figure 2, element 115)..."

However, in the embodiment referenced above, Edson lacks what he discloses in a different embodiment, "a plain old telephone service (POTS) interface coupled
10 between the first processor and a...building telephone line, the...building telephone line providing POTS service to at least one POTS telephone (col. 4, lines 24-35 where the suggestion of a connection to a POTS line is in line 27)."

Edson further lacks what Marchevsky discloses, the POTS interface couples the first processor and a "second" building telephone line (figure 1, element 10 shows two
15 RJ11 ports on the card, as is known in the art these ports are used for building telephone lines, thus there is the possibility of a second telephone line).

It would have been obvious to one with ordinary skill in the art at the time of invention to include second building telephone line for the purpose of tailoring the IAD to meet the needs of the customer's premise, i.e. adding an additional phone line to meet
20 that demand (Edson, col. 4, lines 20-24). The motivation for tailoring the IAD to the customer is so that a wider range of customers with varying needs can be served.

Regarding claim 18, Edson discloses "a method for providing a broadband communication link between a home phoneline networking alliance (HPNA) local area network (LAN) and an external network to form a wide area network (WAN), the HPNA LAN including a plurality of personal computers each coupled to a first building

5 telephone line through an HPNA port, the method comprising the steps of:

providing an HPNA interface coupled to the HPNA LAN (figure 2, element 121 where element 121 attaches to the HPNA LAN of figure 1);

providing a first processor coupled to the HPNA interface (figure 2, element 105);

10 providing a memory subsystem for storing information coupled to the first processor (figure 2, element 107);

providing a communication interface coupled to the first processor, the communication interface providing a communication link between an IAD (figure 1, element 13 acts as a functional equivalent to the IAD, this is supported in applicant's specification, page 4, lines 1-4 implying equivalence between the IAD and the gateway)
15 and the external network (figure 2, any elements 117, 119, or 115 will act as an external network interface), wherein the communication interface is configured to include one of a wireless interface and a digital subscriber line (DSL) interface (figure 2, element 115)..."

However, in the embodiment referenced above, Edson lacks what he discloses in
20 a different embodiment, "providing a plain old telephone service (POTS) interface coupled between the first processor and a...building telephone line, the...building

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telephone line providing POTS service to at least one POTS telephone (col. 4, lines 24-35 where the suggestion of a connection to a POTS line is in line 27).”

Edson further lacks what Marchevsky discloses, the POTS interface couples the first processor and a “second” building telephone line (figure 1, element 10 shows two

5 RJ11 ports on the card, as is known in the art these ports are used for building telephone lines, thus there is the possibility of a second telephone line).

It would have been obvious to one with ordinary skill in the art at the time of invention to include second building telephone line for the purpose of tailoring the IAD to meet the needs of the customer’s premise, i.e. adding an additional phone line to meet
10 that demand (Edson, col. 4, lines 20-24). The motivation for tailoring the IAD to the customer is so that a wider range of customers with varying needs can be served.

Regarding claims 3, 10, and 19, Edson and Marchevsky disclose the IADs of claims 2 and 9, and the method of claim 18. However, Marchevsky lacks what Edson

15 further discloses, “a second processor coupled to the first processor, wherein the second processor is configured to receive and decompress a compressed digital voice signal (figure 4, element 57 is labeled as a codec but also performs the same function as the second processor of claims 3, 10, and 19 as can be read in col. 14, lines 4-7, thus it reasons that there is a second processor in the codec coupled to the first
20 processor through the line 21); and a codec coupled to the second processor, wherein the codec is configured to receive the decompressed digital voice signal and provide an analog voice signal to the second building telephone line (figure 4, element 57 as

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described in col. 13, lines 64-col. 14, lines 1-7)." It would have been obvious to one with ordinary skill in the art at the time of invention to include second processor for compression/decompression and the codec for the purpose of enabling an analog signal to be translated to a digital signal and then compressed (and vice versa for incoming digital signals). The motivation is that compressed digital signals can be transmitted over lower bit rates rather having to be transmitted using higher bit rates for uncompressed data.

Regarding claims 4, 11, and 20, Edson and Marchevsky disclose the IADs of claims 3 and 10, and the method of claim 19. However, Edson and Marchevsky explicitly lack "the codec is also configured to provide a data signal to a third building telephone line." Although Edson and Marchevsky do not disclose a third building telephone line, Marchevsky does disclose at least two building telephone lines as see in figure 1 by the presence of the two RJ11 phone line jacks. It can be reasonably assumed that if there can be two RJ11 phone line jacks on a card, there is no reason to expect that a third phone line jack could not exist. Thus it would have been obvious to one with ordinary skill in the art at the time of invention to include a third phone line jack (and thus a third phone line) on the card of figure 1 because there are already two phone line jacks and the addition of a third phone line jack would be a matter of design choice. The motivation for including a third phone line would be for the same reason as having a second phone line jack, i.e. to increase the phone line capacity at a certain location.

Regarding claims 5, 12, and 21, Edson and Marchevsky disclose the IADs of claims 3 and 10, and the method of claim 19. However, Marchevsky lacks what Edson further discloses, "the codec is also configured to receive a non-compressed digital voice signal from the first processor and provide a corresponding analog voice signal to the second building telephone line (col. 13, lines 64-col. 14, lines 1-4, although lines 4-7 of col. 14 do state that the signals are "**preferably**" compressed/decompressed, it does imply it is not necessary to compress/decompress the signals and leaves the option open for a codec that does not need to compress/decompress the signals)." It would have been obvious to one with ordinary skill in the art at the time of invention to include non-compression/non-decompression of signals with the IADs of claims 3 and 10 and the method of claim 19 for the same reasons and motivation as in claims 3, 10, and 19.

Regarding claims 6, 15, and 24, Edson and Marchevsky disclose the IADs of claims 3 and 9, and the method of claim 18. However, Marchevsky lacks what Edson further discloses, "the second processor is a digital signal processor (col. 14, lines 3-7 where it is implied that the second processor of the codec is performing digital signal processing because of the fact that it is compressing/decompressing digital signals and it is converting analog signals to digital signals and vice versa, as is known in the art this is the definition of a digital signal processor)." It would have been obvious to one with ordinary skill in the art to include the DSP with the IADs of claims 3 and 9 and the method of claim 18 for the same reasons and motivation as in claims 3, 9, and 18.

Regarding claims 8, 17, and 26, Edson and Marchevsky disclose the IADs of claims 3 and 9, and the method of claim 18. However, Edson lacks what Marchevsky further disclose, "the HPNA port is provided by a peripheral component interconnect (PCI) card configured to transfer information between a PCI bus of one of the personal computers and the first building telephone line (figure 4 shows the card 10 that consists of connections to the building phone line through the RJ11 jacks and as read in col. 6, lines 51-52 connects as to a PCI bus)." It would have been obvious to one with ordinary skill in the art to include the PCI bus with the IADs of claims 3 and 9, and the method of claim 18 for the same reasons and motivation as in claims 3, 9, and 18.

Regarding claims 13 and 22, Edson and Marchevsky disclose the IADs of claim 9 and the method of claim 18. However, Marchevsky lacks what Edson further disclose, "a plain old telephone service (POTS) client coupling a POTS telephone to the HPNA network, the POTS client configured to separate digital voice signals and digital data signals supplied on the first building telephone line and provide analog voice signals to the POTS telephone (figure 1, elements 32 and 312 show the POTS client telephone and figure 3 shows the inner workings of element 312 with its codec for configuring digital voice signals and data and provide analog voice)." It would have been obvious to one with ordinary skill in the art to include the POTS client phone with the IAD of claim 9 and the method of claim 18 for the same reasons and motivation as in claims 9 and 18.

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Regarding claims 14 and 23, Edson and Marchevsky disclose the IAD of claim 13 and the method of claim 22. However, Marchevsky lacks what Edson further discloses, "the POTS client is powered by the IAD through the first building telephone line (figure 1, element 21 where it is known in the art that twisted pair telephone lines power POTS client telephones)." It would have been obvious to one with ordinary skill in the art to have the POTS client telephone powered by the IAD with the IAD of claim 13 and the method of claim 22 for the same reasons and motivation as in claims 13 and 22.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edson in view of applicant's admitted prior art (AAPA).

Regarding claim 7, Edson discloses the IAD of claim 1. However, Edson lacks what AAPA discloses, "the HPNA port is provided by a universal serial bus (USB) adapter configured to transfer information between a USB port of one of the personal computers and the first building telephone line (Specification, page 2, lines 17-19)." It would have been obvious to one with ordinary skill in the art at the time of invention to have the HPNA port provided by a USB for the purpose of communicating with like equipped devices in the network (Specification, page 2, lines 19-20). The motivation for doing this is so that the devices can communicate at higher speeds with the USB port than with other types of connections as is known in the art.

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Claims 16 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson and Marchevsky as applied to claims 9 and 18 above, and further in view of applicant's admitted prior art (AAPA).

Regarding claims 16 and 25, Edson and Marchevsky disclose the IAD of claim 9
5 and the method of claim 18. However, Edson and Marchevsky lack what AAPA
discloses, "the HPNA port is provided by a universal serial bus (USB) adapter
configured to transfer information between a USB port of one of the personal computers
and the first building telephone line (Specification, page 2, lines 17-19)." It would have
been obvious to one with ordinary skill in the art at the time of invention to have the
10 HPNA port provided by a USB for the purpose of communicating with like equipped
devices in the network (Specification, page 2, lines 19-20). The motivation for doing this
is so that the devices can communicate at higher speeds with the USB port than with
other types of connections as is known in the art.

15 Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Joshua Kading whose telephone number is (703) 305-
0342. The examiner can normally be reached on M-F: 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Douglas Olms can be reached on (703) 305-4703. The fax phone number
20 for the organization where this application or proceeding is assigned is 703-872-9306.

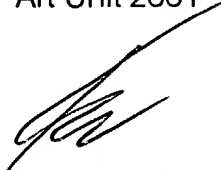
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Joshua Kading
Examiner
Art Unit 2661

10 July 29, 2004



KENNETH VANDERPYLE
PRIMARY EXAMINER